

A-6145

Special Permit Request

Replace an existing asphalt and concrete driveway with a wider cobblestone driveway that would measure a maximum of sixteen (16) feet in the front (south) yard of the property.

Mr. & Mrs. Alvin A. (Tony) Schall
103 Grafton Street

103 Grafton Street



Figure 1: View of 103 Grafton Street. The subject driveway is to the right (east).



Figure 2: View of subject driveway.

**CHEVY CHASE VILLAGE
NOTICE OF PUBLIC HEARING**

Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 11th day of June, 2012 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

**APPEAL NUMBER A-6145
MR. & MRS. ALVIN A. (TONY) SCHALL
103 GRAFTON STREET
CHEVY CHASE, MARYLAND 20815**

The applicants have filed a request for a special permit pursuant to Section 8-11 of the Chevy Chase Village Code to replace an existing asphalt and concrete driveway with a wider cobblestone driveway that would measure a maximum of sixteen (16) feet in the front (south) yard of the property.

The Chevy Chase Village Code § 8-26 states:

Any driveway on private property may not exceed fifteen (15) feet in width without a special permit from the Board of Managers, except that the apron in front of a two-car garage may extend the full width of the two-car garage, provided that such apron does not exceed twenty (20) feet in length.

Additional information regarding this case may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at www.chevychasevillagemd.gov or you may contact the office for this information to be mailed to you.

This notice was mailed to abutting and confronting property owners on the 31st day of May, 2012.

**Chevy Chase Village Office
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
301-654-7300**

**CHEVY CHASE VILLAGE
BOARD OF MANAGERS
JUNE 11, 2012 MEETING
STAFF INFORMATION REPORT**

TO: BOARD OF MANAGERS
FROM: ELLEN SANDS, PERMITTING AND CODE ENFORCEMENT COORDINATOR
DATE: 6/7/2012
SUBJECT: HEARING OF APPEAL CASE NO. A-6145 SPECIAL PERMIT REQUEST
MR. & MRS. ALVIN A. (TONY) SCHALL, 103 GRAFTON STREET
REPLACE AN EXISTING ASPHALT AND CONCRETE DRIVEWAY WITH A WIDER
COBBLESTONE DRIVEWAY THAT WOULD MEASURE A MAXIMUM OF SIXTEEN (16) FEET
IN WIDTH IN THE FRONT (SOUTH) YARD OF THE PROPERTY.

NOTICE REQUIREMENTS: Abutting Owners; Public Notice

APPLICABLE CHEVY CHASE BUILDING REGULATION:

The Chevy Chase Village Code § 8-26 states:

Any driveway on private property may not exceed fifteen (15) feet in width without a special permit from the Board of Managers, except that the apron in front of a two-car garage may extend the full width of the two-car garage, provided that such apron does not exceed twenty (20) feet in length.

FINDINGS REQUIRED:

1. That the proposed special permit is authorized by the Village building regulations.
2. That the proposed special permit will not adversely affect the public health, safety or welfare nor the reasonable use of the adjoining properties.
3. That the proposed special permit can be granted without substantial impairment of the purpose and intent of the Village building regulations.
4. That the structure authorized by the proposed special permit would not violate the covenants applicable to the subject property.

APPLICABLE COVENANTS:

None; covenants are not required for Special Permits authorized by Section 8-26 of the Village Code.

FACTUAL AND BACKGROUND INFORMATION:

The current driveway measures eight (8') feet in width and extends approximately eighty-six (86) feet in length, sixty-eight (68) feet of which is on private property.

The Applicants submission indicates the proposed driveway would be ten (10) feet in width in the public right-of-way and, at the property line, widen to sixteen (16) feet in width for a distance of approximately forty (40) feet.

The Applicants state that the project will result in a net reduction in impervious surfaces at the property due to removal of a portion of the existing driveway.

There is no garage at the property.

The Village arborist has assessed the project for tree protection measures and has established limits for disturbance which accommodate the proposed project.

There has been one letter received supporting the request the request from Mr. Thomas Egan. There have been no letters received to date objecting to the request.

Applicable Fees: Special Permit Fee: \$300.00; Building Permit for construction in the right-of-way: \$50. Total: \$350.00

OTHER INFORMATION:

The Applicants and the next door neighbor to the east, Mr. & Mrs. Thomas Egan, are working together to install a drainage system to carry stormwater runoff from both their properties to the street.

RELEVANT PRECEDENTS:

Many of the precedents related to driveway special permit requests involve requests for circular driveways (which have more than one pair of curb cuts), requests for "turnarounds", or requests for aprons wider than allowed in front of two-car garages, none of which are applicable in this case. This request does not involve an additional curb cut and the request is to accommodate two cars parked side-by-side, not a "turn around" or apron in front of a garage (there is no garage at this property). The most relevant precedents therefore are as follows: On November 9, 1999, Ms. Susan Gallagher and Mr. Michael Williams were granted permission to expand an existing driveway an additional fifteen (15) feet, increasing the total width of the driveway to forty-five (45) feet at the property line. In September 2010, Mr. & Mrs. Stephen C. Conley of 9 West Lenox Street were granted a special permit to replace and expand an existing gravel driveway with a paver driveway. The proposed apron and turnaround area would be located on private property and would have a maximum width of fifty-four (54) feet. On July 11, 2011, Laura Billings and David O'Neil were granted permission to replace an existing concrete driveway with a brick driveway that measured a maximum of sixteen (16) feet in width in the Kirkside Drive public right-of-way and to replace an existing concrete driveway with a brick driveway that measured a maximum of twenty (20) feet in width on private property,

Draft Motion


I move to direct staff to draft a decision **APPROVING/DENYING** the special permit request in case A-6145, based on the findings that ...

MAILING LIST FOR APPEAL A-6145

MR. & MRS. ALVIN A. (TONY) SCHALL
103 GRAFTON STREET
CHEVY CHASE, MD 20815

Adjoining and confronting property owners	
Mr. & Mrs. Thomas Egan, Jr. Or Current Resident 101 Grafton Street Chevy Chase, MD 20815	Ms. Constance Lohse & Mr. Robert G. Brewer, Jr. Or Current Resident 105 Grafton Street Chevy Chase, MD 20815
Mr. & Mrs. Edward L. Peck Or Current Resident 106 Grafton Street Chevy Chase, MD 20815	Mr. & Mrs. Robert G. Harper Or Current Resident 104 Grafton Street Chevy Chase, MD 20815
Ms. Susan E. Joseph & Mr. Ken A. Gallo Or Current Resident 102 Grafton Street Chevy Chase, MD 20815	Mr. & Mrs. Lee M. Cissna Or Current Resident 104 Hesketh Street Chevy Chase, MD 20185
Mr. & Mrs. Monroe L. Neuman Or Current Resident 5802 Cedar Parkway Chevy Chase, MD 20815	

I hereby certify that a public notice was mailed to the aforementioned property owners on the 31st day of May, 2012.


Ellen Sands
Permitting and Code Enforcement Coordinator
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815



May 31, 2012

Mr. & Mrs. Tony Schall
103 Grafton Street
Chevy Chase, MD 20815

Dear Mr. & Mrs. Schall:

Please note that your request to widen the driveway at your property is scheduled before the Board of Managers on Monday, June 11, 2012 at 7:30 p.m.

Either you or another representative must be in attendance to present your case. At that time, additional documents may be introduced and testimony can be provided in support of the request.

For your convenience, enclosed please find copies of the Public Hearing Notice and mailing list. Please contact the Village office in advance if you are unable to attend.

Sincerely,

Ellen Sands
Permitting and Code Enforcement
Chevy Chase Village

Enclosures

Chevy Chase Village
Building Permit Application for
Driveways and Other Features at Grade

Permit No: A-6145

Property Address: 103 Grafton Street, Chevy Chase, MD 20815	
Resident Name: Alvin A. Schall and Sharon L. Schall Daytime telephone: 202-275-8960 Cell phone: 202-320-2898 After-hours telephone: 301-951-6362 E-mail: schalla@cafc.uscourts.gov	
Primary Contact for Project: <input checked="" type="checkbox"/> Resident <input type="checkbox"/> Architect <input type="checkbox"/> Project Manager <input type="checkbox"/> Contractor* *MHIC/MD Contractor's License No. (required):	
Contractor Contact Information: Name: Serra Stone Corporation (David Jacinto) Daytime telephone: 301-986-1830 After-hours telephone: E-mail: David@Serrastone.com	
Check all that apply: <input checked="" type="checkbox"/> Driveway (If a new curb cut is required, note additional fee.) <input type="checkbox"/> Walkway <input type="checkbox"/> Patio, terrace, or deck at grade	
Check all appropriate boxes: Feature is: <input type="checkbox"/> new; <input checked="" type="checkbox"/> an enlargement of an existing feature; and/or see Attachment A. <input type="checkbox"/> being relocated. <input type="checkbox"/> Feature is a replacement in-kind and in the same location.	
Description of project: Please see Attachment A.	
<i>To be completed by Village staff:</i> Is this property within the historic district? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Staff Initials: <u>SB</u> Date application filed with Village: <u>5/9/12</u> Date permit issued: _____ Expiration date: _____	

Guidelines for Building, Replacing and Maintaining Driveways

Village Code states that any person intending to install, replace or alter a driveway, or any material part thereof, must first obtain a Building Permit from the Village office. (Residents within the Historic District must also obtain a Historic Area Work Permit; please contact the Historic Preservation Commission directly.)

Driveways are regulated in three areas: (1) the portion of the driveway located on private property, (2) the portion of the driveway that crosses the public right-of-way, and (3) the driveway apron, which is the portion of the driveway that meets the public street. Please refer to the illustration below for an example of these components.

(1) Driveways on Private Property

Driveways on private property may be installed using any material the resident chooses (although residents within the Historic District must consult with HPC), provided that the driveway does not exceed fifteen feet (15') in width. Village Code allows residents to install a wider garage apron—the section of a driveway just forward of a garage—for two-car garages. The apron in front of a two-car garage may extend the full width of the two-car garage for a distance up to twenty feet (20') from the face of the garage. The Code applies this accommodation only for two-car garages.

(2) Driveways on the Public Right-of-Way

All driveways must cross the public right-of-way to access the street, but where private property ends and the public right-of-way begins ends is not always consistent from street to street, and may even vary from block to block (as discussed above). The first step is to determine where the right-of-way begins in front of your property. Your proposed driveway cannot exceed ten feet (10') in width where the driveway crosses the right-of-way. Also, if your driveway (whether new or replacement) crosses or intersects with a public sidewalk, the sidewalk material must be restored/maintained across the driveway so as to create a continuous public sidewalk of consistent material type.

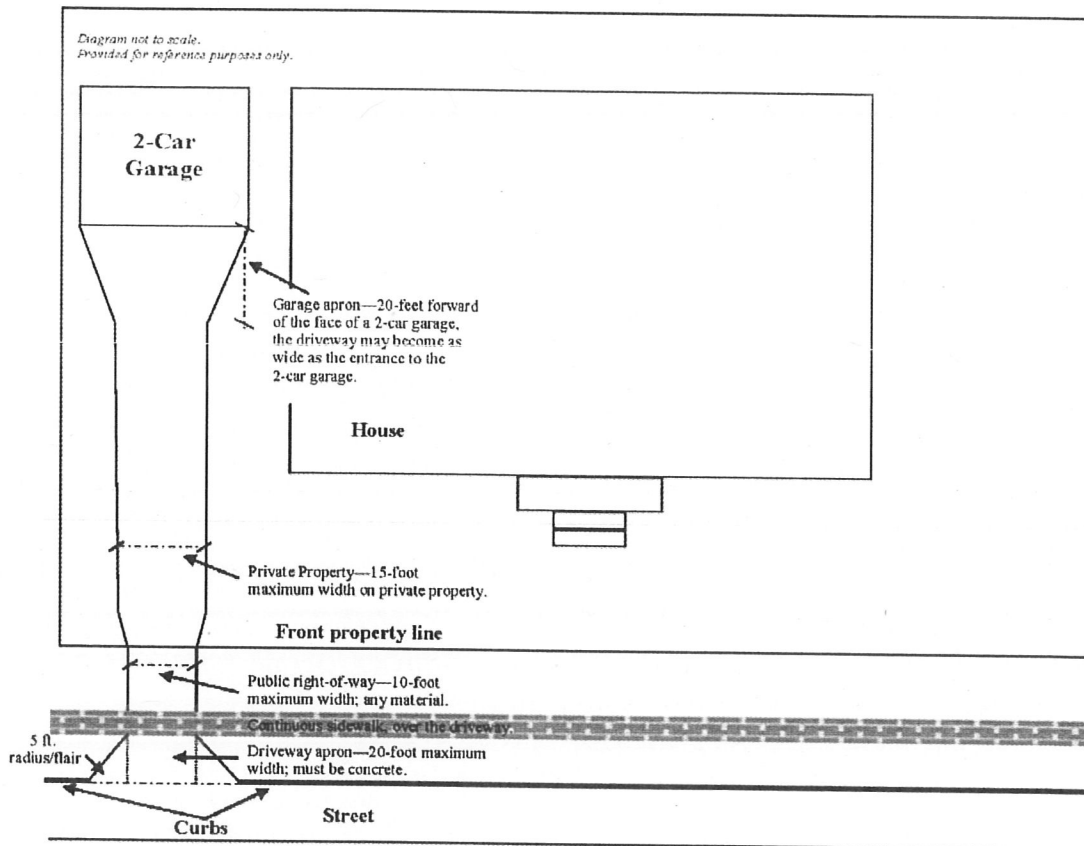
(3) Driveway Aprons

The driveway apron is the portion of the driveway that meets the public street. In addition to the ten foot (10') maximum width of the driveway where the driveway crosses the public right-of-way, the Village Code allows a five foot (5') radius on either side to establish the driveway apron, thereby allowing a maximum width at the curb of twenty feet (20'). While driveways on private property may be installed in any material or color that residents choose, the Village Code specifies that the driveway apron must be installed using concrete in accordance with current Montgomery County standards. Thus, no matter the material used for the driveway itself, the apron must be concrete.

Village Code limits the number of curb cuts permitted per property to one. Accordingly, residents who wish to install a circular driveway will need to request a variance from the Board of Managers.

Unlike other improvements in the public right-of-way, a **License to Use the Public Right-of-Way** is not required to install or replace driveways or driveway aprons. Replacement of a driveway apron is the sole responsibility of the adjoining property owner, not the Village.

Example:



Building Permit Application Filing Requirements

Application will not be reviewed until the application is complete

- ☐ Copy of stamped approved plans from Montgomery County. *N/A*
- ☒ This application form, signed by resident.
- ☒ Boundary Survey
- ☒ Site Plan (see: Village Site Plan Checklist to ensure completeness) showing exact location of existing and proposed features.
- ☒ Tree Preservation Plan requested of Village arborist (see: Village Tree Inspection Request form). All required tree protections must be fully installed before any work begins.
- ☒ Filing Fee (due at time of application). Fee schedule is listed in Chapter 6 of the Village Code.
- ☐ Damage deposit or performance bond (due when permit is issued). Amount will be set by Village Manager.

Once this permit application is complete, the Village Manager will review the application and accompanying documents and, under most circumstances, act on the application within 5 to 10 working days. If the Montgomery County permit is suspended, revoked or lapsed, the Village permit is automatically suspended, revoked or lapsed. No signs advertising any service provider may be posted on the work site.

I hereby certify that I have the authority to make the foregoing application, that the application is correct, that I have read and understood all requirements and that the construction will conform to the regulations of the Montgomery County Zoning Code, the Village Code including Urban Forest code, and any covenants and easements on the subject property.

Applicant's Signature: *Alvin A. Schall* **Date:** *May 2, 2012*

For Use By Village Manager	Application approved with the following conditions:

DENIED MAY 30 2012 Chevy Chase Village Manager	Application denied for the following reasons:
	<i>Proposed driveway exceeds the maximum width on private property of 15' per Sec 8-26.</i>

Filing Fees (due when application submitted)	Checks Payable to: Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
Permit Filing Fee: <i>assessed w/ ROW permit</i> <input checked="" type="checkbox"/> \$30.00 (if new, enlarged or relocated) <input type="checkbox"/> \$15.00 (if a replacement in-kind and in the same location) <input type="checkbox"/> \$50.00 for new curb cut.	<i>app for drain</i>
Tree Preservation Plan Fee: <input checked="" type="checkbox"/> \$250.00 <i>w/ drain permit as well</i> <input type="checkbox"/> Not required for this project	
TOTAL Fees: \$300.00	Date: <i>5/18/12</i> Staff Signature: <i>[Signature]</i>
Damage Deposit/Performance Bond <input type="checkbox"/> \$ _____ <input type="checkbox"/> Waived by Village Manager	Date: Staff Signature:

For Village Staff use: Field file for inspections by Code Enforcement Officer has been created: <input type="checkbox"/> Yes (Date: _____)

Chevy Chase Village

Application for a Special Permit

Chevy Chase Village Code Section 8-1(aa) defines a Special Permit as permission granted by the Board of Managers in accordance with Article II Division B of this Chapter [8], to construct, install, remove or alter a structure or planting, or take other action where such permission is required by this Chapter.

Subject Property: 103 Grafton Street	
Describe the Proposed Project: Please see Attachment A.	
Applicant Name(s) (List all property owners): Alvin A. Schall and Sharon L. Schall	
Daytime telephone: 202-275-8960	Cell: 202-320-2898
E-mail: schalla@cafc.uscourts.gov	
Address (if different from property address):	
For Village staff use:	Date this form received: <u>5/18/12</u> Special Permit No: <u>A-6145</u>

Filing Requirements:

Application will not be accepted or reviewed until the application is complete

- ☐ Completed *Chevy Chase Village Application for a Special Permit* (this form)
- ☐ Completed *Chevy Chase Village Building Permit Application*
- ☐ A boundary survey or plat diagram with a margin of error of one tenth of a foot or less showing all existing structures, projections and impervious surfaces.
- ☐ Surveys, plats, engineering reports, construction plans/specifications or other accurate drawings showing boundaries, dimensions, and area of the property, as well as the location and dimensions of all structures/fences/walls/etc., existing and proposed to be erected, and the distances of such structures/fences/walls/etc., from the nearest property lines. These drawings shall incorporate and display reference dimensions from the boundary survey or plat diagram required above.
- ☐ Copy of Covenants, except for special permits authorized by Sections 8-22, 8-26 or Article IV of Chapter 8 of the Chevy Chase Village Code. If there are no covenants, provide a letter from an attorney or the title insurance carrier stating that there are no covenants.
- ☐ Applicable special permit fee listed in Chapter 6 of the Village Code.

Affidavit

I hereby certify that I have the authority to submit the foregoing application, that all owners of the property have signed below, that I have read and understand all requirements and that I or an authorized representative will appear at the scheduled public hearing in this matter. I hereby authorize the Village Manager, or the Manager's designee, and/or the Board of Managers to enter onto the subject property for the purposes of assessing the site in relation to this special permit request. I hereby declare and affirm, under penalty of perjury, that all matters and facts set forth in the foregoing application are true and correct to the best of my knowledge, information and belief.

Applicant's Signature: Alvin A. Schall

Date: May 18, 2012

Applicant's Signature: Sharon Schall

Date: May 18, 2012

Describe the basis for the special permit request (attach additional pages as needed):

Describe the reasons why approval of the special permit would not adversely affect the public health, safety or welfare or the reasonable use of adjoining properties:

Approval of the Special Permit will not adversely affect any of the above because, if granted, the Special Permit will only increase the size of part of our driveway by 1' beyond the 15' limitation.

Describe the reasons why the special permit can be granted without substantial impairment of the intent and purpose of Chapter 8 of the Chevy Chase Village Code, entitled *Buildings and Building Regulations*:

Please see Attachment B

In exercising its powers in connection with a special permit request, the Chevy Chase Village Board of Managers may reverse or affirm, wholly or partly, or may modify the requirement, decision or determination as it deems appropriate.

Special Permit Filing Fees	Checks Payable To: Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
<i>Per Village Code Sec. 6-2(a)(24):</i> <input checked="" type="checkbox"/> \$300.00 for new construction. <input type="checkbox"/> \$150.00 for replacing existing non-conformities. <input type="checkbox"/> \$2,250.00 for demolition of main building. <input type="checkbox"/> \$300.00 for demolition of accessory building or structure. <input type="checkbox"/> \$300.00 for fences, walls, play equipment, trees, hedges, shrubbery in the public right-of-way. Fee Paid: \$ 300.00	Date Paid: 5/18/12 Staff Signature: Ellen Sands

ATTACHMENT A

The scope of the proposed project is set forth in Attachment A to our Building Permit Application dated May 2, 2012. The Board of Managers has the Permit Application.

This Application for a Special Permit relates to the dimensions of the proposed new driveway, which is described in paragraph 3 of Attachment A to our Permit Application. Subparagraph (b) of paragraph (3) states that, starting at a point 18' from the sidewalk and extending for 40' the driveway will be 16' wide.

Chapter 8 of the Chevy Chase Village Code, entitled *Buildings and Building Regulations*, provides in Sec. 8-26 that a driveway on private property "may not exceed fifteen (15) feet in width without a special permit from the Board of Managers"

We are submitting this Application for a Special Permit so that we may be allowed to have part of our driveway (the 40' part described above) exceed the fifteen foot restriction by one inch, so that the 40' part of the driveway will be 16' wide. We would like accomplish this width in the following manner:

As the Board will see from paragraph 2 of Attachment A to our Permit Application, the proposed driveway is going to be constructed of cobblestones. If our request for a Special Permit is granted, we contemplate that the interior 15' of the 40' part of the driveway will have either a square or horizontal pattern. The remaining 1' (6" inches on either side of the 15' area) will consist of a border of cobblestones running in a vertical direction. (This border also will frame the first 18' of the driveway described in paragraph 3(a) of our Permit Application.)

The 1' border (6" on each side of the driveway) will serve the following purposes: First, having 16' of width, (1) we will be able to park two cars side by side, thereby avoiding having to move one car when we need to get the other car out; and (2) we will be able to open our car doors without denting or scraping. Second, having the 1' border of cobblestones will make for a more integrated and attractive driveway than would be the case if we tried to work around the 15' limitation with a path or walkway made of some other material.

Finally, we have furnished the details of our driveway project to Mr. and Mrs. Thomas Egan, our neighbors at 101 Grafton Street and whose property is immediately adjacent to where our driveway is. They have no objection to the project.

ATTACHMENT A

(from initial building permit application)

The project is replacement of an existing apron and driveway as follows:

1. Replacement of existing driveway apron (20', 1") with 7" broom finish concrete reinforced with heavy duty road mesh.
2. Removal and replacement of existing driveway so that the new driveway will extend to 58' from the sidewalk. The driveway will be constructed of cobblestones on 8" CR-6 base and 1" sand setting bed. The new driveway will be raised to be almost level with the top of the existing grade. The remainder of the existing driveway (beyond 58' from the sidewalk) will be removed and replaced with grass.
3. The dimensions of the new driveway will be as follows:
 - (a) starting at sidewalk and extending 18': 10' wide.
 - (b) starting at 18' foot point and extending for 40': 16' wide.
4. Excavation as needed to extend two downspouts, one located at rear of house and one located at front side of house, to daylight at front sidewalk with flexible pipe.
5. Please see attached drawing for location of drain line.

(separate permit application)

Plat of Survey and
House Location Plat
Lot 2, Block 64, Section 2,
"CHEVY CHASE"
Montgomery County, Maryland
Scale: 1" = 30'

Engineer's Certificate

I hereby certify that the plat shown hereon is correct, and that the location of buildings shown is as by actual measurement.

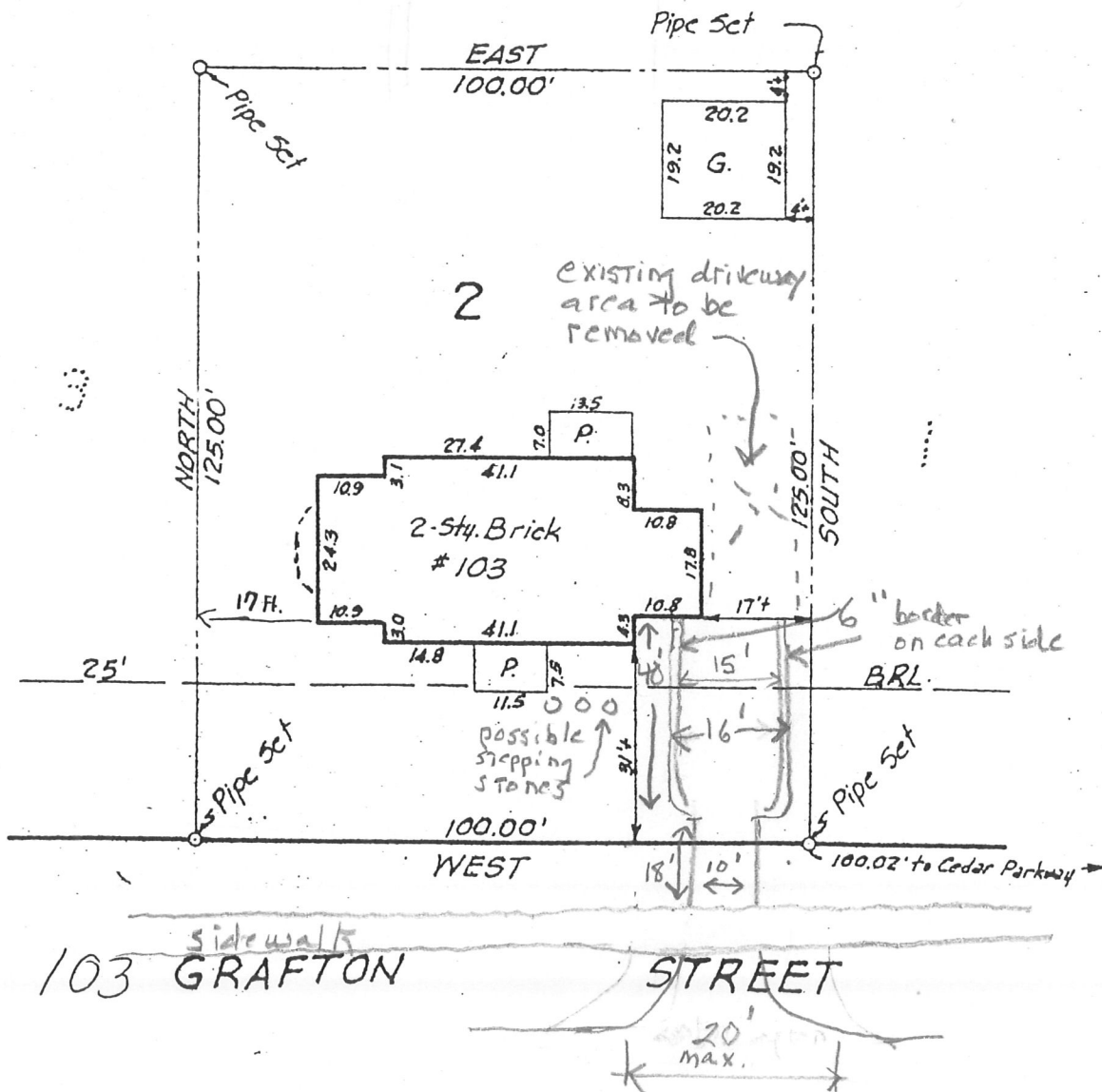
November 21, 1963

Plat Book 3
Plat 273

Revised as of April 27, 1965.

STERLING R. MADDOX AND ASSOCIATES
CIVIL ENGINEERS - SURVEYORS - SITE PLANNING

By: *Sterling R. Maddox*



ATTACHMENT B

We believe that the special permit we are requesting can be granted without any impairment of the intent and purpose of Chapter 8 of the Chevy Chase Village Code, entitled *Buildings and Building Regulations*:

Section 8-25(a) of Chapter 8 requires a permit when a Village resident intends to "perform grading or construction of impermeable surfaces, such as . . . driveways," which, in the opinion of the Village Manager, "will alter the existing or natural flow of water in such a way that it may reasonably be expected to cause such water . . . to flow onto abutting property or onto the public right of way." Thus, section 8-25(a) reflects the concern that impermeable surfaces have the effect of increasing water flow onto the property of adjacent landowners and Village sidewalks and streets. At the same time, section 8-26, with its 15' foot limitation on driveway width, reflects both this concern and the concern that overly large driveways may be unsightly. In short, the intent and purpose of sections 8-25 and 8-26 of the Village Code appears to be the minimizing of (1) water runoff and (2) the existence of unsightly driveways, or impermeable surfaces. We believe that the special permit which we are requesting (for a 16' width for part of our driveway) does not run afoul of either of these concerns.

First, our presently existing driveway is 86' in length. As stated in paragraph 2 of Attachment A to our Permit Application, we plan to (1) resurface 58' of the existing driveway; and (2) remove the remainder of the existing driveway (28') and replace it with grass. Thus, our driveway reconstruction will result in a significant decrease in the existing impermeable surface, thereby reducing water runoff. Second, the extra 1' which we are requesting for part of our driveway reflects a most minimal variance from the 15' limitation. Accordingly, we believe that it will not result in any measurable increase in water runoff. And third, in our view, the cobblestone surface which we are proposing for our driveway will result in an attractive surface which will neither be unsightly nor oversized in relation to the size of our property.

For the foregoing reasons, we respectfully request that our Application for a Special Permit be granted.

CCV Permitting

From: Judge Schall, Alvin A. [schalla@cafc.uscourts.gov]
Sent: Thursday, June 07, 2012 11:10 AM
To: CCV Permitting
Subject: FW: Sent from CM2320nf MFP

From: Egan, Thomas J [mailto:thomas.egan@bakermckenzie.com]
Sent: Friday, May 18, 2012 12:01 PM
To: Judge Schall, Alvin A.
Subject: RE: Sent from CM2320nf MFP

Tony:

Thanks for the update. I stopped by the Village Hall this morning and signed the license. I hope all goes well at the June 11 Board meeting.

Best,

Tom

From: Judge Schall, Alvin A. [mailto:schalla@cafc.uscourts.gov]
Sent: Thursday, May 17, 2012 11:11 AM
To: Egan, Thomas J
Subject: FW: Sent from CM2320nf MFP

Tom:

My apologies. Earlier this morning I sent you by mistake another copy of the original permit application, which you already have seen. I meant to send you the Special Permit Application that is discussed in my email. Here it is.

Again, my apologies, Tony

From: HPCL-AAS-23K@cafc.uscourts.gov [mailto:HPCL-AAS-23K@cafc.uscourts.gov]
Sent: Thursday, May 17, 2012 9:43 AM
To: Judge Schall, Alvin A.
Subject: Sent from CM2320nf MFP

Pursuant to requirements related to practice before the Internal Revenue Service, any tax advice contained in this communication (including any attachments) is not intended to be used, and cannot be used, for the purposes of (i) avoiding penalties imposed under the United States Internal Revenue Code or (ii) promoting, marketing or recommending to another person any tax-related matter.

This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message. Please visit www.bakermckenzie.com/disclaimers for other important information concerning this message.

Feather & Assoc.

Tolbert V. Feather, Ph.D.

*Advisors for: Landscape Development
Landscape Management, Plant Pest Management*

Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815

May 11, 2012

Tree Protection Plan – 103 Grafton St. Driveway

The building permit is issued on condition that the Owner complies with tree preservation plan shown on the attached sheet and as stated below.

Attached is a map of the tree protection plan for the residence at 103 Grafton St.

Tree protection shall include:

1. There shall be no further excavation for new curb. The old curb may be "popped" out and new installed without any excavation.
2. No materials, equipment, or tools shall be staged next to any trees.
3. The Chevy Chase Village office shall be notified if there is any change in the construction plans that would impact the protected trees.

Chevy Chase Village
Tree Protection Plan
103 Grafton St.
Driveway

Feather and Associates
May 11, 2012

